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## **REMARKS**

Applicant, by the amendments presented above, has made a concerted effort to present claims which more clearly define over the prior art of record, and thus to place this case in condition for allowance. Currently, claims 1-25, 27, 28 30, 31 and 34-74 are pending. Claim 29 was canceled without prejudice herein. Claims 65-73 is newly-presented.

### ***Allowable Claims***

The Examiner indicated that claim 31 is allowed.

The Examiner indicated that claims 16-18, 27, 35, 36, 55, 59, 62 and 63 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 U.S.C. §102***

Claims 1-4, 7, 8, 10-12, 14, 15, 19-21, 23-25, 28-30, 34, 37-41, 44, 45, 47-49, 51-54, 56-58, 60, 61 and 64 were rejected under 35 U.S.C. §102(b) as being anticipated by Bennett. Claim 29 has been canceled. Reconsideration and allowance of the remaining claims is requested in view of the amendments and remarks provided herein.

Claim 1 has been amended to specify that “said sleeve extending a substantial dimension of the door”. The sleeve 38 in Bennett does not extend a substantial dimension of the door. Instead, the sleeve 38 in Bennett only extends for a small distance along the door. As shown in Figure 1 of Bennett, the sleeve 38 is only provided at the end of the lockrod 34. The substantial length of the lockrod 34 is exposed to the outside. Therefore, Bennett does

not provide for the benefits of the invention defined by claim 1 as discussed in the patent application, viz. reinforcement of the door from bending, and taking the thrust load along the entire height of the door, protecting the lockrod from damage, and allowing for a smooth decal on the rear doors of the trailer.

Therefore, Applicant submits that Bennett does not anticipate amended claim 1 and further cannot be modified to render obvious amended claim 1. Reconsideration and allowance of amended claim 1 is respectfully requested.

Claims 2-4, 7, 8, 10-12, 14, 15 and 19 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 2-4, 7, 8, 10-12, 14, 15 and 19 is requested.

Claim 20 has been amended to specify “said member being inclined relative to the horizontal at an angle between zero and ninety degrees such that said member can be moved into engagement with said corresponding opening primarily by gravity.” In addition, claim 20 has been amended to avoid a possible §112 rejection and to delete the limitations added from claim 32 which had previously been indicated to be allowable (these limitations have been represented as claim 64). Reconsideration and withdrawal of the rejection is requested.

The Examiner has defined the member of claim 20 as arm 62a and the base portion as “an interconnecting surface”. Applicant assumes that the “interconnecting surface” is the surface between the pivot portion of arm 62a and the cam member 72a. Because the Examiner did not clearly define this “interconnecting surface” if Applicant’s assumption is incorrect, Applicant requests that the Examiner advise of the correct “interconnecting surface”.

As is shown in the drawings, arm 62a is formed as a horizontal member and a vertical member. Therefore, no part of arm 62a is formed such that there is an incline relative to the

horizontal at an angle of between zero and ninety degrees. In addition, Applicant submits that arm 62a is not moved primarily gravity. Because of the structure of the arm 62a, the only direction the arm 62a could move primarily by gravity is in a downward direction. Moreover, as described in Col. 6, lines 33-44, the handle 68a, arm 62a and cam formation 72a are swung counter-clockwise. Because the handle 68a and cam formation 72a are horizontal and the arm 62a is not inclined relative to the horizontal as shown in Figure 8, this counter-clockwise movement can only be effected by a user imparting force on the handle.

Therefore, Applicant submits that Bennett does not anticipate amended claim 20 and further cannot be modified to render obvious amended claim 20. Reconsideration and allowance of amended claim 20 is respectfully requested.

Claims 23-25, 28, 34 and 37 are dependent upon amended claim 20 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 23-25, 28, 29, 34 and 37 is requested.

In addition, represented claim 65 is dependent upon amended claim 20 which Applicant submits is in condition for allowance. Reentry, reconsideration and allowance of claim 65 is requested.

Claim 30 has been amended to be dependent upon claim 20. Because Applicant submits that claim 20 is in condition for allowance, Applicant submits that amended claim 30 is allowable. Reconsideration and allowance of claim 30 is requested.

Claim 38 has been amended to specify “a thrust bearing disposed between said end cap and said cam structure, said thrust bearing being in direct contact with said end cap and said cam structure, said thrust bearing being rotatable relative to said end cap and said cam structure.”

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Bennett clearly does not disclose these features. In Bennett, the bearings 36 are separated from the end cap 44 by a length of the lockrod 34 as is clearly shown in Figure 1. Therefore, the bearings 36 of Bennett do not provide the benefits of the invention defined by claim 38 as discussed in the patent application, viz. allowing for ease of rotation between the end cap and the cam, providing for smooth rotation between the end cap and the cam, and tightening up the door hardware.

In addition, bearings 36 are not thrust bearings. As described in Col. 3, lines 44-50 of Bennett, “collar 38 or an equivalent shoulder holds shaft 34 up in the bearings 36 . . . But the camming mechanism now to be described provides the necessary upwardly bearing thrust . . .” Therefore, the bearings 36 as described by Bennett are not thrust bearings.

Thus, Applicant submits that Bennett does not anticipate amended claim 38 and further cannot be modified to render obvious amended claim 38. Reconsideration and allowance of amended claim 38 is respectfully requested.

Claims 39-41, 44, 45, 47 are dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 39-41, 44, 45, 47 is requested.

Claim 48 has been amended to specify “a second structure provided on said handle and configured to engage into said opening in said rear frame, thereby locking said handle in place and preventing further substantial movement of said handle relative to said door.”

It appears that the Examiner has defined the second structure as cam formation 72a and arm 62a. Figure 8 of Bennett shows the final position of the handle 68a in solid lines in which the cam formation 72a and a very small portion of arm 62a are positioned within the opening defined by the box 70a. When in this final position, the handle 68a can be freely rotated despite the cam formation 72a and a very small portion of arm 62a being positioned

within the opening defined by the box 70a. Neither the cam formation 72a nor the arm 62a prevent the further substantial movement of the handle 68a relative to the door. To lock the handle 68 of Bennett in place such that further substantial movement of the handle relative to the door is *prevented*, a padlock is inserted in hole 71a which is a different opening than the opening in which the cam formation 72a and the arm 62a are inserted.

Therefore, Applicant submits that Bennett does not disclose “a second structure provided on said handle and configured to engage into said opening in said rear frame, thereby locking said handle in place and preventing further substantial movement of said handle relative to said door” as is specified in amended claim 48. Thus, Applicant submits that Bennett does not anticipate amended claim 48 and further cannot be modified to render obvious amended claim 48. Reconsideration and allowance of amended claim 48 is respectfully requested.

Claims 49, 51-54, 56-58, 60, 61 and 64 are dependent upon claim 48 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 49, 51-54, 56-58, 60, 61 and 64 is requested.

### ***Claim Rejections - 35 U.S.C. §103***

Claims 9, 13, 22 and 50 were rejected under 35 U.S.C. §103 as being unpatentable over Bennett in view of United States Patent No. 4,082,330 to McWhorter.

Claims 9 and 13 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 9 and 13 is requested.

Claim 22 is dependent upon claim 21 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 22 is requested.

Claim 50 is dependent upon claim 48 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 50 is requested.

Claims 5, 6, 42, 43 and 46 were rejected under 35 U.S.C. §103 as being unpatentable over Bennett in view of United States Patent No. 4,660,872 to Carson and further in view of United States Patent No. 3,451,705 to Turpen.

Claims 5 and 6 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 5 and 6 is requested.

Claims 42, 43 and 46 are dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 42, 43 and 46 is requested.

#### ***Newly-Presented Claims 66-73***

Claims 66-73 are newly presented but are similar in scope to amended claim 48 except that the new claims are directed to the door lock mechanism instead of the trailer.

Independent claim 66 specifies “a second structure provided on said handle and configured to engage into said opening in said rear frame, thereby locking said handle in place and preventing further substantial movement of said handle relative to said door.”

Again, it appears that the Examiner has defined the second structure as cam formation 72a and arm 62a. Figure 8 of Bennett shows the final position of the handle 68a in solid lines in which the cam formation 72a and a very small portion of arm 62a are positioned within the opening defined by the box 70a. When in this final position, the handle 68a can be freely rotated despite the cam formation 72a and a very small portion of arm 62a being positioned within the opening defined by the box 70a. Neither the cam formation 72a nor the arm 62a prevent the further substantial movement of the handle 68a relative to the door. To lock the handle 68 of Bennett in place such that further substantial movement of the handle relative to

the door is *prevented*, a padlock is inserted in hole 71a which is a different opening than the opening in which the cam formation 72a and the arm 62a are inserted.


Therefore, Applicant submits that Bennett does not disclose "a second structure provided on said handle and configured to engage into said opening in said rear frame, thereby locking said handle in place and preventing further substantial movement of said handle relative to said door" as is specified in newly-presented claim 66. Thus, Applicant submits that Bennett does not anticipate claim 66 and further cannot be modified to render obvious claim 66. Entry, consideration and allowance of claim 66 is respectfully requested.

Claims 67-73 are dependent upon claim 66 which Applicant submits is in condition for allowance. Entry, consideration and allowance of claims 67-73 is requested.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: July 1, 2003

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